

## Guidance on Title I and the Required Student Performance Strategist in Grades K-3

The Office of Federal Title Programs has become aware of potential supplanting violations with regard to the student performance strategist position and using federally paid Title I personnel to fulfill the state requirement. This guidance has been developed to provide clarification regarding this issue. This guidance only pertains to Title I targeted assistance programs. *It does not pertain to Title I schoolwide programs.*

### **The Requirement**

The 2009 North Dakota legislative session incorporated funding for and mandated that each district have one (1) full FTE student performance strategist for every 400 K-3 students (NDCC 15.1-07-32). This requirement went into effect during the 2010-2011 school year. Funding for this position must be paid from local school district funds (i.e., state aid).

### **Duties of the Student Performance Strategist**

The NDCC states that schools have two options available to them when assigning duties/responsibilities to their student performance strategist.

1. Schools may use their student performance strategist as a tutor. A tutor is defined as a licensed teacher who works with students one-on-one or in small groups. Many schools are not able to assist all students who may be in need through the Title I program and this new student performance strategist could greatly assist with tutoring these students who are in need of additional help.

AND/OR

2. Some schools receive a significant amount of Title I funds and may be able to adequately assist all students needing extra help. The state law does address this scenario. Section 15.1-07-32 states that an elementary school may hire a tutor (i.e., student performance strategist) or an instructional coach. Therefore, schools have an option of using their required FTE for an instructional coach, if they prefer. An instructional coach is defined as a staff member performing assigned activities relating to supporting teachers and others in the school/district through on site professional development that enhances teaching skills and assists teachers in applying new knowledge. This individual works with staff only, not students.

### **How can districts avoid federal supplanting violations?**

Since this position is a requirement defined in state statute, schools and districts must be very aware of their actions as it has been common for the state to find supplanting violations relating to this issue. Outlined below are things schools and districts must consider to avoid federal supplanting violations:

- The percentage of FTE determined by the formula in state law cannot be paid with Title I funds. Paying for this FTE percentage with Title I funds is a supplanting violation and will result in repayment of Title I funds.
- Large districts that are required to participate in the Title I targeting process must ensure that ALL elementary buildings have state paid student performance strategist times allotted to each building, including Title I buildings. Failure to do so will result in a supplanting violation and potential comparability violation which leads to ineligibility for Title I funds at the district level.

- District's cannot pay for Title I student performance strategists (or similar positions) in Title I buildings and state student performance strategists in non-Title I buildings. This clearly illustrates a supplanting violation and will result in repayment of Title I funds.

### **How does this position relate to Title I?**

Since the requirement of the student performance strategist is in state law, districts cannot use Title I paid staff to meet this requirement, as that would be supplanting. If a school has a very small FTE requirement for the student performance strategist and there is no one on staff who could assume the role, the school could reduce their Title I teacher's FTE time and have the Title I teacher assume the student performance strategist responsibilities. These percentages would have to be documented on the district's consolidated application. Additionally, time and effort would need to be documented. The individuals student performance strategist time must be paid from local school district funds and Title I time paid with Title I funds.

Outlined below is a comparison of Title I targeted assistance and the student performance strategist requirements.

	<b>Title I Targeted</b>	<b>Student Performance Strategist</b>
<b>Title I Credential Required</b>	Yes	No
<b>Student Selection Process</b>	Yes	No
<b>Grade Levels Served</b>	Locally decided PreK-12 available	K-3
<b>Subjects</b>	Reading and Math	All
<b>Parental Involvement Requirements</b>	Yes	No
<b>Additional Assessments Required to Measure Progress</b>	Yes	No

### **How should staff be recorded on the MIS03 report?**

In North Dakota, all schools are required to report teaching staff on an MIS03 form in the fall of each school year. How staff are paid and their specific job descriptions help to determine how they are reported and coded on their school's MIS03 report. Outlined below is the coding requirements for the state funded student performance strategist (whether they are providing tutoring instruction to students or providing instructional coaching as a student performance strategist).

Student Performance Strategist

Position: 65

Area of Responsibility: 122

Course Code: 00097

### **What are the reporting requirements?**

Districts are required to submit student performance strategist information to the Teacher and School Effectiveness office through the STARS spring calendar report. In this report, the district will indicate the staff fulfilling the student performance strategist position, the amount of time that each student performance strategist expended in tutoring students on a one-to-one basis or in groups ranging from two to five, or in providing instructional coaching to teachers.

## **Questions**

<ul style="list-style-type: none"><li>• Questions relating to the Student Performance Strategist can be directed to the Teacher and School Effectiveness office at:<ul style="list-style-type: none"><li>▪ Telephone: (701) 328-2295</li><li>▪ Fax: (701) 328-0201</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Questions relating to Title I can be directed to your assigned contact person in the Division of Student Support &amp; Innovation at:<ul style="list-style-type: none"><li>▪ Telephone: (888) 605-1951</li><li>▪ Fax: (701) 328-0203</li></ul></li></ul>
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